

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

PAUL KAY CORONEL,

PLAINTIFF

v.

NO. 2:05CV120-P-D

"UNKNOWN" WALKER, et al.,

DEFENDANTS

ORDER DENYING MOTION TO ALTER JUDGMENT

This cause is before the court on Plaintiff's "Motion for Relief from Judgment filed September 26, 2006." Plaintiff contends that the court erred by entering a final judgment without considering his objections to the Report and Recommendations. The final judgment of the court was filed October 3, 2006, and Plaintiff's motion was filed October 10, 2006; therefore, Plaintiff's motion will be construed in accordance with Federal Rule 59(e).

On September 26, 2006, the court granted summary judgment in favor of Defendants as to all of Plaintiff's claims by adopting the Magistrate Judge's thorough and well reasoned Report and Recommendations. The adopting order noted that there were no objections filed to the Report and Recommendations. The next day, September 27, 2006, the court received Plaintiff's objections. On October 3, 2006, the court *sua sponte* reconsidered and rescinded its previous order in light of Plaintiff's objections. That same day, the court reviewed Plaintiff's objections. Finding no merit to the objections, the court again adopted the Report and Recommendations which disposed of Plaintiff's complaint.

Therefore, contrary to Plaintiff's contention, his objections have received appropriate consideration by the court. Thus, his motion to alter judgement is not well taken and shall be DENIED.

SO ORDERED, this the 19th day of October, 2006.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE